

REMARKS

Claims 8-11, 20-23 and 26-33 are in the application, with Claims 8-10 and 20-22 having been amended, with Claims 1-7, 12-19, 24 and 25 having been cancelled, and with Claims 26-33 having been added. Claims 8, 9, 20 and 21 are the independent claims herein. No new matter has been added. It is noted that of the new claims, claims 26 and 27 are derived from former claim 5, claim 28 is derived from claim 10, claim 29 is derived from claim 11, claims 30 and 31 are derived from former claim 17, claim 32 is derived from claim 22 and claim 33 is derived from claim 23. Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 102(e)

Claims 8-11 and 20-23 are rejected as being anticipated by Buist, U.S. Patent No. 6,408,282.

Claim 8 has been rewritten in independent form but is unchanged in scope. Claim 8 is directed to “an *n*-tier apparatus for executing and processing financial instrument transactions”. The apparatus recited in claim 8 includes “a presentation layer further comprising a workspace”, “at least one intermediate component layer for supplying information to the workspace and transferring information from the interface” and “at least one information source layer for supplying information to said intermediate component and transferring information from said intermediate component”. Claim 8 further recites that the workspace includes “at least one sub interface, which sub interface is selected from the group comprising an order entry interface, an order modification interface, an order monitoring interface, an instrument monitoring interface, and a market monitoring interface” and that the “intermediate component layer is comprised of at least one intermediate component selected from a predetermined group of intermediate

components”, with the selection of the at least one intermediate component occurring “at least in part based upon the sub interface or sub interfaces chosen”.

The Buist reference, upon which the Examiner relies, discloses a computerized securities trading system that includes a hierarchy of server computers. It appears to applicants that the Examiner considers one or more ranks of the server computers to correspond to the claimed “at least one intermediate component”. However, it is not believed that the reference teaches or suggests selecting an intermediate component based at least in part on a sub-interface that was chosen. Although the reference contains several examples of interfaces and/or sub interfaces, there does not appear to be any disclosure in the reference that ties selection of an intermediate tier server to a choice of interface.

Turning to the specific portions of the reference cited by the Examiner in regard to claim 8, these too are believed not to disclose selection of an intermediate tier server based on choice of sub interface. FIGS. 1 and 2 are block diagrams that do not show any interface or sub interface and do not teach how servers are selected. The passage at column 6, line 62 to column 7, line 12 generally describes the hierarchical server structure shown in FIG. 1, but does not discuss interfaces or sub interfaces. The passage at column 8, lines 48-62 discusses storage of user account information in a master database. The latter passage refers generally to interaction between replica servers and user workstations, but does not mention interfaces or sub interfaces explicitly, and supplies no support for the Examiner’s contention (bottom of page 4 of the present Office Action) that in Buist’s system “arrangements based on broker/dealer participation and other factors relating to type of trading being completed” affects “the type of GUI presented to

the user”. Moreover, claim 8 recites that choice of sub interface affects selection of intermediate component, not that the type of trading affects the type of interface presented to the user.

For all of these reasons, it is respectfully submitted that the rejection of claim 8 should be reconsidered and withdrawn.

Claim 20 is an independent claim that generally corresponds to claim 8, such that the remarks made above with respect to claim 8 are equally applicable to claim 20.

Furthermore, claims 9 and 21, though somewhat different in scope from claims 8 and 20, are believed allowable for much the same reasons as claims 8 and 20. In particular, claims 9 and 21 recite selection of “at least one information source” based at least in part on choice of sub interface” rather than reciting, like claims 8 and 20, selection of “at least one intermediate component” on that basis. It is believed that the Buist reference and the specific passages cited by the Examiner in regard to claims 9 and 21 (the same passages cited with respect to claims 8 and 20) do not disclose the features of claims 9 and 21 referred to in the previous sentence. There is no discussion in the reference or in the cited passages thereof concerning selection of an information source based on choice of sub interface.

The other pending claims are dependent and are submitted as patentable on the same basis as their parent independent claims.

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-3460.

Respectfully submitted,

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